

Dated: \_\_\_\_\_

10/5172 82 #3  
RGE PCT/PTO 04 JAN 2005

In re Patent Application of:  
Makoto Oyama et al.

Confirmation No.: N/A

Art Unit: N/A

Examiner: Not Yet Assigned

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

A summary/abstract translation of the non-English language documents is enclosed.

Citation Nos. BA - BI are not in the English language. In accordance with 1.98(c),

{W:\09657\0202169us0\00332008.DOC / 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 }

The requirement for concise explanation of relevance of Citation Nos. BA - BI is satisfied by the attached translation of the abstract (see MPEP § 609 A(3)). Also, enclosed is an English language copy of a Search Report from a foreign patent office, issued in a counter part application.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Commissioner is authorized to charge any deficiency of up to \$300.00 or credit any excess in this fee to Deposit Account No. 04-0100.

Dated: January 4, 2005

Respectfully submitted,

By   
Louis J. DelJuidice

Registration No.: 47,522  
DARBY & DARBY P.C.  
P.O. Box 5257  
New York, New York 10150-5257  
(212) 527-7700  
(212) 753-6237 (Fax)  
Attorneys/Agents For Applicant

Substitute for form 1449A/B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/517,282
				Filing Date	December 6, 2004
				First Named Inventor	Makoto Oyama
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	09657/0202169-US0

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	BA	JP-2002-235207	08-23-2002	KARIN:KK		X
	BB	WO-99/58007	11-18-1999	Hiroshi YOSHIHARA		X
	BC	JP-10-292209	11-04-1998	DUCHESS CORP.		X
	BD	JP-2000-008203	01-11-2000	WACOAL CORP.		X
	BE	JP-08-311704	11-26-1996	KADORIILE NISHIDA:KK		X
	BF	JP-2001-192903	07-17-2001	WACOAL CORP.		X
	BG	JP-06-173101	06-21-1994	SUWANII KK		X
	BH	JP-10-008303	01-13-1998	Osamu ISHITOBI		X
	BI	JP-2001-104369	04-17-2001	Shunichiro ISHII		X

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	CA	International Search Report for PCT/JP03/07142 mailed on July 22, 2003	
	CB	Patent Abstracts of Japan for JP 2002-235207 published on August 23, 2002	
	CC	Patent Abstracts of Japan for JP 10-292209 published on November 4, 1998	
	CD	Patent Abstracts of Japan for JP 2000-008203 published on January 11, 2000	
	CE	Patent Abstracts of Japan for JP 08-311704 published on November 26, 1996	
	CF	Patent Abstracts of Japan for JP 2001-192903 published on July 17, 2001	
	CG	Patent Abstracts of Japan for JP 06-173101 published on June 21, 1994	
	CH	Patent Abstracts of Japan for JP 10-008303 published on January 13, 1998	
	CI	Patent Abstracts of Japan for JP 2001-104369 published on April 17, 2001	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

W:1096 5710202		Date Considered	
-------------------	--	--------------------	--